Covert Action in Chile—1963–1973

Throughout the "Foreign and Military Intelligence" section of the Committee's final report, there are references to covert action in Chile which are based on a staff report of the Committee entitled, "Covert Action in Chile—1963–1973." Because the report was a "staff report," Senators on the Commitee were not entitled to submit opposing views. In my opinion, the staff report is a distortion of history and will not stand the test of time. The following is what I believe to be a fair representation of events in Chile from 1963 to 1973 and any U.S. involvement.

On December 4, 1973, the Senate Select Committee on Intelligence Activities held public hearings on covert action in Chile covering the years 1963 to 1973. In his opening statement, Chairman Church stated that, "The nature and extent of the American role in the overthrow of a democratically-elected Chilean government are matters for deep and continuing public concern."

The Chairman then introduced the staff director, who with other members of the staff, summarized a staff report entitled, "*Covert Action in Chile 1963–1973.*" The staff conclusion was even more specific: "In the period 1970 through 1973, in order to prevent a Marxist leader from coming to power by democratic means, the U.S. worked through covert action to subvert democratic processes.... this interference in the internal affairs of another country served to weaken the party we sought to assist and created internal dissensions which, over time, led to the weakening and, for the present time at least, an end to constitutional government in Chile."

These assertions, and the Committee report on which they are based, are misleading because they make it appear that the United States was responsible for the downfall of a respectable and truly democratic government. The real character of Allende and his coalition was ignored by excluding both public statements of philosophy and intent as well as the public record of highly illegal actions while in office.

Omitting publicly available information (not to mention the exclusion of voluminous classified intelligence dealing with Chilean support of Soviet and Cuban international subversion) makes it difficult for the American public to understand why anti-Allende operations were undertaken by three successive U.S. administrations. Moreover, the report concludes that "fears, often badly exaggerated or distorted, appear to have activated officials in Washington."

Thus, *Covert Action in Chile 1963–1973* leaves the impression of U.S. bungling in Chilean affairs induced by a corrosive fear of communism and Marxism.

While there may have been some mistakes made in the conduct of our affairs in Chile, the threat of a communist dictatorship under Allende was very real. To set the record straight, here are facts that should be taken into account:

1. Salvador Allende and the Unidad Popular

An avowed Marxist-Leninist, Allende participated in the creation of the Chilean Socialist Party in 1933, the year he graduated from medical school. He was elected a Federal Deputy in 1937, and was

named Secretary-General of the Socialist Party in 1943. Since its inception, the Chilean Socialist Party has been an extreme interpreter of Marxist-Leninist dogma, espousing violent revolution for Chile and the rest of Latin America.

Castro's Cuba became the Socialist model, and many young Socialists were trained in Cuba in guerilla warfare as well as in political action. Allende personally headed the Chilean delegation to the 1966 Tricontinental Conference in Havana and was a key figure in the creation of the Cuban-sponsored Latin America Solidarity Organization called LASO—created specifically to foment guerilla warfare in Latin America. It was the guiding force for the "Che" Guevara Guerrilla adventure in Bolivia in 1967.

In January 1970, Allende was listed as a director of the Chilean Committee of Support for the Bolivian People and the National Liberation Army, known as ELN.

Meanwhile the stronger, but less violent, Chilean Communist Party had joined the Socialist Party in a coalition which backed Allende as its presidential candidate in four presidential elections (1952, 1958, 1964 and 1970.) Allende was an active member of many Communist front organizations, particularly the World Peace Council, of which he was Vice-President during his first visit to the USSR in 1954.

Intelligence gathered over a period of many years has provided what Ambassador Korry calls "certain knowledge that the Soviet Union and other Communist governments and organizations provided substantial sums for covert political action to the Communist Party, to the Socialist Party, and to Allende himself."

The significance of Allende's election as President of Chile was thus readily apparent or should have been. Allende affirmed publicly in his 1970 campaign, as he had in previous campaigns for the presidency, that his intention was to bring about an irreversible Marxist revolution in Chile. He viewed himself as the man who would do what Castro failed to do: destroy America's leadership in Latin America. Allende minced no pre-election words. Prior to his election, he stated flat out that the United States was to be treated as "public enemy number one" in the western hemisphere.

Allende's tactics centered on using constitutional tools to fashion a socialist revolution, but he never pretended to expouse traditional parliamentary democracy. A minority president who received only 36.5% of the popular vote, he declared three months after taking office:

> I am the President of the Unidad Popular. I am not the President of all the Chileans.

He and Castro chose to follow different roads, but Allende's intentions were never really masked. To quote again from his 1970 presidential campaign:

> Cuba in the Caribbean and a Socialist Chile in the Southern Cone will make the revolution in Latin America.

Was this empty campaign rhetoric?

Soon after the 1970 election, Allende met secretly with Latin American revolutionaries and pledged covert support to them. Ambassador Korry has written: "In 1970, as in 1963, we know beyond a shadow

of a reasonable doubt that an Allende government intended to use the processes and laws of what it called formal democracy to eliminate and replace it with what it called popular democracy. (From 1961 to 1970, the Embassy, like the majority of Congress, agreed that such a development would do serious harm to U.S. interests and influence-for-good in the world.)"

2. Efforts of the Allende Government to Destroy Democratic Institutions

Communist Party leaders were largely in charge of the economic program of the Allende government. The communists intended gradually to replace private enterprise by State enterprise, thus enabling the government to assume complete social and economic power.

The government, therefore, drew up a list of all Chilean corporations whose capital reserves exceeded $500,000. These companies, representing 82% of the capital holdings of all companies incorporated in Chile, were earmarked for nationalization. Congress atempted to block this government program by passing legislation defining the economic areas subject to government ownership, but the government continued to take over Chilean firms, using methods which became progressively more illegal.

These methods ranged from expropriations (declared unconstitutional by the Chilean Supreme Court), to requisitions (many of which were declared illegal by the Chilean Office of the Comptroller General), to "decrees of insistence" (a rarely used judicial tool created to resolve differences of legal interpretations between the judiciary and the executive).

In agriculture, all farms exceeding 80 hectares of irrigated land were made subject to legal expropriation. These "legal" expropriations were supplemented by those of roving armed bands who took possession of agricultural properties by force without any intervention by the Chilean police.

Similarly, a series of economic pressures was exerted to silence the independent media, including coercion, bribery, the manipulation of government control over credit, imports and prices, and the incitement of strikes.

As an adjunct to economic pressures, the Allende government began to develop the concept of "popular power", creating parallel revolutionary organizations which duplicated the functions of existing legal organizations. For example, special communal commands, known as JAPS, were established to control the distribution of essential articles, mainly food. Government supplies were channeled through these new organizations rather than through established retailed outlets. Of Soviet origin, the communal commands had the dual function of displacing "bourgeois" organizations and of training their members for armed revolution.

Prior to the Allende regime, Chile had a strong democratic tradition and a firm commitment to constitutional processes. Under the Allende regime, its institutions fought long and tenaciously to save themselves from destruction by legal, constitutional means. When the government violated Chilean law, protests were filed with the courts and "contraloria." [1]

[1] (Comptroller-General of the Republic, who supervised the legality of the government's actions.)

When the courts and the Contraloria objected to these violations, however, the government either paid no heed to these decisions or overruled them through "decrees of insistence", which were themselves illegal.

The National Congress also tried to check these violations of the law by impeaching the ministers responsible for them, but Allende merely moved the ousted ministers from one post to another, thus thwarting the purpose of Congressional sanctions.

Finally, when all the protests of the Congress, the courts and the Contraloria had been repeatedly ignored, these bodies solemnly declared that the Allende government had placed itself outside both the law and the Constitution. These declarations were made by the Supreme Court on May 26, 1973, by the Contraloria on July 2, 1973, and by the Chamber of Deputies on August 22, 1973. The full text of the Chamber of Deputies resolution, and that of a subsequent August 29, 1973 Report of the Bar Association are appended in full, because they record many of the abuses and illegalities of the Allende government and also illustrate the inability of true democratic institutions to coexist with a Marxist government. The Chamber's declaration was, in fact, a notice to the armed forces that the legal and constitutional order of the country had broken down.

The military coup of September 11, 1973 was the tragic climax of a long process of political polarization, exacerbated by the worst economic crisis in Chile's history:

—Inflation exceeded 300% in 1973;
—the trade balance deficit in the same year exceeded $450 million;
—the foreign debt increased 60% in three years.

As the economic situation deteriorated, strikes proliferated, crippling the country. It was not U.S. "interference," but rather a minority's attempt to impose doctrinaire Marxism on a democratic framework, which led to the establishment of the present military government.

3. Chile: a Base for Soviet and Cuban Subversion

Within the Allende government, the Communist Party was largely responsible for running the economic program, counting heavily on Soviet support. There were 1,300-odd Soviets in Chile as of March 1972. Soviet Bloc credits of some $200 million had been extended. Moreover, the Soviets were dangling an offer of $300 million to the Chilean military for the purchase of military equipment. The Soviets, however, left to the Cubans most of the revolutionary guidance and support provided to the Allende coalition.

Under Allende, Chile became the center for Cuban operations in the southern cone of Latin America. Juan Carretero Ibanez, alias "Ariel", former chief of the Cuban Liberation Directorate (LD) for Latin America (the Cuban intelligence and executive action agency) arrived in Chile in October 1970 just prior to Allende's inauguration. He was soon followed by Luis Fernandez Ona, a senior intelligence officer of the DGI who became Allende's son-in-law. Chile re-established diplomatic relations with Cuba and the Cuban Embassy rapidly reached a

strength of 54 (later nearly 100) officers. Cuban visitors to Chile averaged 100 per month.

Cuban support to the Chilean government was primarily in the security field. The Cubans trained and armed the Presidential security guard, and also helped to develop an intelligence organization which functioned independently of established government services. Chilean police were trained in repressive security tactics, such as setting up neighborhood informant systems. The Cubans also provided arms, funds, and guerrilla training to hundreds of members of the Socialist Party and other far leftist Chilean militia groups.

Dozens of crates of arms, mostly of Soviet and Czech origin, were found stored in Allende's Santiago home and mountain retreat after he was overthrown. These crates had been flown in as "gifts" by Cuban airlines.

The Cuban intelligence effort in Chile, concentrated on exporting revolution to other Latin American countries, primarily Bolivia but also Argentina, Brazil and Uruguay. Some ten to fifteen thousand foreign revolutionaries flocked into Chile, where the Cuban LD center conducted a thriving business. The Center had a unit for providing false documents and training, and its operatives met revolutionaries in exile and visitors from other countries to receive their reports, pass money, arrange travel to Cuba and direct their activities.

In November 1971 Bolivian exiles in Chile announced formation of the Anti-Imperialist Revolutionary Front, known as FRA, which included the ELN. Its mission was to replace the Banzer Government with a government of the "proletariat". A number of FRA leaders in Chile travelled to and from Cuba. A massing of FRA exiles on the Chilean border drew official protests from the Bolivian government in April 1972.

Chile also served as a support base for the Argentine terrorist organization PRT/ERP. (Subsequently the PRT/ERP was responsible for such actions as the abduction and shooting of a State Department official and for extracting ransom in excess of $20,000,000 from U.S. firms in Argentina.)

4. Actions of Allende's Coalition Subsequent to the March 1973 Elections

Like the other Unidad Popular parties, the Communist Party, known as the PCCH, began almost immediately after Allende's election to arm and train its membership in paramilitary tactics. Prior to March 1973, however, the Communist Party publicly and privately advocated policies designed to lull the political opposition and military into believing that the government would not resort to flagrant violations of the Chilean constitution. The PCCH believed that time was on the side of the government, and that the political opposition would be effectively stifled by progressively increasing government control of the economy.

This posture changed with the March 1973 congressional elections, which showed that the Christian Democrats and other parties in the political opposition were gaining rather than losing ground. The Communists, realizing that force was the only way to guarantee the continuance of the Marxist government, then joined the Socialist Party in pressing Allende to take harsher measures against the opposition.

After the September 1, 1973 coup, the junta government charged that the Unidad Popular had been planning a terrorist action, which was known as "Plan Z" and called for the assassination of military and opposition leaders as part of a move to secure total control of the country. A reliable leftist military source, who was in Chile prior to and during the military rebellion, confirmed that the leftist forces had indeed planned a pre-emptive move against the military, to have taken place during the independence celebrations of September 17–18, 1973. The documents and large arms caches discovered by military authorities after the coup suggest that Plan Z may indeed have existed.

A complete and fair assessment of the U.S. role in Chile can only be made if the following are taken into account:

1. The character of the Allende regime as revealed by public statements and by the nature of the political parties from which he drew support;
2. Efforts of the Allende regime to manipulate and ultimately destroy constitutional democracy;
3. Soviet and Cuban use of Chile as a base for international subversion;
4. The possibility that the Marxists were planning a pre-emptive and bloody coup to seize power totally.

The Senate Select Committee Staff Report on Chile concludes that "fears, often badly exaggerated and distored, appear to have activated officials in Washington." But even the National Intelligence Estimate cited as endorsing this conclusion was published on June 14, 1973 and was written before Allende's violations of civil liberties were intensified. In the months after the Estimate the country's democratic processes were reduced to chaos and provoked the solemn declarations by the Supreme Court, Comptroller-General and Chamber of Deputies mentioned earlier.

U.S. policy toward Chile from 1962 to 1970 was consistent in attempting to prevent the take-over of the Government of Chile by Allende and his totalitarian Communist and Socialist supporters. The actions of the Allende regime after 1970 proves the wisdom of that policy.

In Chile, the U.S. was acting within the broad mainstream of traditional U.S. policy in Latin America, which has been to resist encroachment by powers outside the Western Hempishere. The USSR dealt with the Allende government (and with the Chilean Communist Party, before and after Allende's election) at the very highest level. For example, the Soviet Ambassador to Allende's Chile, Alexander Vasilyevich Basov, was one of only three members of the Central Committee of the Communist Party to be stationed in non-Communist capitals. The other two being in Washintgon and Paris.

The Allende experiment in Chile was seen by the Soviets as a model for other strategic countries. It is worth noting that both the Soviets and the Cubans considered the overthrow of the Allende government in Chile as a disaster to their interests. In their comments on Chile, the Soviets emphasize that Chile proves the thesis that "socialist revolution" should never be attempted without political control of the military forces.

There can be honest differences of opinion about the wisdom of American policy toward Chile over the last decade. What is missing

in the Staff report is the acknowledgement of a viewpoint contrary to its own conception: that Washington opinionmakers were activated by badly exaggerated and distorted fears. History has proved that minority Communist and radical Marxist parties ultimately destroy the elements of democracy and diversity which enable them to gain power. Allende clearly stated his intent to bring about an *irreversible* Marxist revolution in Chile.

Had the facts presented here been made available to the reader of the Staff Report, that reader might have concluded that U.S. Government fears were not "exaggerated or distorted", and might have concluded that the U.S. was essentially correct in its Chilean policy. This policy, prior to 1970, was to prevent a convinced Marxist from taking power and after 1970 strove to support and sustain until the 1976 elections a democratic opposition to a government which, by 1973, was clearly operating outside the laws and Constitution of Chile.

The results of the disclosures of sensitive classified data which were made during open hearings and in the published report on Chile will not be evident for some time to come, but two recent developments may be of interest.

First, the conclusion to the Staff Report states that "it would be the final irony of a decade of covert action in Chile if that action destroyed the credibility of the Chilean Christian Democrats."

According to an official report received by this Government, "Ex-President Frei feels completely shattered as a result of the release of the Senate report . . . and has confided to friends that it has brought his political career to a close . . . The source commented that it is ironic that U.S. congressional distaste for the role of the U.S. Government against the Allende Government may have succeeded in destroying the only viable alternative to the present Chilean government."

Second, data taken from the Report are being used to give credibility to false allegations about the Agency. An example is the *Washington Post* article of January 16, 1976 by Walter Pincus entitled "CIA Funding Journalistic Network Abroad." After quoting data taken from the Chile Report, the author quotes "a former intelligence agent" as claiming that the CIA subsidized the Latin American news service LATIN in much the same manner as it gave money to "El Mercurio." The true fact is that the CIA never gave any help, financial or otherwise, to LATIN, but this false allegation has been tied in with facts published in the Staff Report in such a way as to make it appear to have the Senate stamp of approval.

As of this writing Angola has fallen into the hands of a revolutionary group backed by the Soviet Union. The winning element was thousands of Cuban soldiers supplied with Russian weaponry. In other words, the Soviet Union used Cuban soldiers in Angola much the same way as Hessians were employed by the British during our own Revolutionary War.

To the world, the Soviet Union is boasting of its victory and the defeat of the U.S.

There is an ironical, if not tragic, postlude to the report *Covert Action in Chile 1963–1973*. On December 17, 1975 Fidel Castro made

a speech which quoted several paragraphs of the Report. Here is Fidel Castro's accolade:

> . . . We consider the revelation of the report a positive move by the Senate committee despite the opposition of the President of the United States, even when much information was omitted because of pressure from the CIA itself and from the President's office. . . .

Foreign and Military Findings and Recommendations

Turning to the report entitled "Findings and Recommendations of the Committee: Foreign and Military," two general observations can be made:

1. Much of the supporting evidence or information for this section of the report is drawn from a series of staff studies which have not been considered by the full committee in their final form as of this writing. Moreover, the staff reports are wider in scope than the testimony taken by the full committee.

2. Recommendations for reorganization of the intelligence community are not backed up by sufficient testimony or analysis.

Below are some detailed comments on the report. They follow the heading given on the "Contents" page.

1. Historical Note

The Select Committee on Intelligence Activities spent nearly $3 million and over 15 months investigating the intelligence community, and it had a peak staff of over 120 professionals, consultants, and clerical personnel. I believe these facts should be a matter of record, because no excuses can be made for the final report based on a lack of time, money, or personnel. In fact, the Senate was more than generous in providing repeated extensions of time and money to the Select Committee. The results speak for themselves.

The truth of the matter is that approximately 6 months was spent in a fruitless investigation into alleged assassination attempts. During the course of the investigation of assassination attempts, not one bona fide assassination ordered by the U.S. Government was discovered. What did emerge were attempts on the life of Fidel Castro during the early 60's when our relations with Cuba were very close to being a state of war. In any event, much time and effort was frittered away in this unproductive exercise.

A. Introduction and General Findings

Committee Report:

> . . . Allegations of abuse, revelations in the press, and the results of the Committee's 15 month inquiry have underlined the necessity to restore confidence in the integrity of our Nation's intelligence agencies. . . . (See p. 423.)

Comment:

Only a small segment of American public opinion has ever had any doubts in the integrity of our Nation's intelligence agencies. In general, the American people fully support our intelligence services and recognize them as the Nation's front line of defense. Accordingly, the use of the word "restore" is misleading.

Committee Report:

> . . . At the same time, the Committee finds that the operation of an extensive and necessarily secret intelligence system places severe strains on the nation's constitutional government. . . . (See p. 425.)

Comment:

It is not the operation of an intelligence system that strains our nation's constitutional government. Any strains that exist are the direct result of Presidential misuse, misunderstanding, or abuse of the nation's intelligence capabilities. It should be noted that the report correctly salutes the men and women of the intelligence community, and also correctly points out that the Soviet KGB and other hostile intelligence services conduct spying and covert operations—(not to mention assassinations).

Committee Report:

> . . . The Committee finds that covert action operations have not been an exceptional instrument used only in rare instances when the vital interests of the United States have been at stake. On the contrary, presidents and administrations have made excessive, and at times self-defeating, use of covert action. In addition, covert action has become a routine program with a bureaucratic momentum of its own. The long-term impact, at home and abroad, of repeated disclosure of U.S. covert action never appears to have been assesed. The cumulative effect of covert actions has been increasingly costly to American interests and reputation. The Committee believes that covert action must be employed only in the most extraordinary circumstances.

Comment:

Covert action is intended to provide the President of the U.S. and the nation with a range of actions short of war to preserve the free world and to thwart the global ambitions of Communist imperialism. Covert operations can and should be used in circumstances which might not be described as "vital" but are nevertheless necessary to prevent a crisis from occurring. One of the purposes of covert action is to prevent the occurrence of "most extraordinary circumstances." Those who support the above-mentioned quotation are in effect saying: "Don't put out the fire while it is small; wait until it becomes a conflagration."

Committee Report:

> . . . Although there is a question as to the extent to which the Constitution requires publication of intelligence expen-

ditures information, the Committee finds that the Constitution at least requires public disclosure and authorization of an annual aggregate figure for United States national intelligence activities. . . . (See p. 425.)

Comment:

Publication of an annual aggregate figure for U.S. intelligence may appear to be innocent especially because estimates, with varying degrees of accuracy, have appeared in the press. Whether or not the Constitution requires such a disclosure is open to question. Traditionally, nations have kept their intelligence budgets secret for at least two reasons: First, they did not want to officially acknowledge the fact of these activities. Second, the publication of a figure might give potential adversaries some indication of the magnitude of their intelligence efforts. Both of these arguments may be somewhat obsolete in a world where little, if anything, is considered private.

There is still another objection which I submit cannot be discounted: Disclosing an annual aggregate figure will inevitably lead to demands for a breakdown of that figure. If these demands cannot be resisted, ultimately we would hand our adversaries very important indicators concerning the magnitude and thrust of our intelligence activities. In addition, our allies would be inclined to view such a step as one more signal that America is unable to protect its secrets leading to a possible further erosion of cooperative intelligence efforts. In any event, this matter should be decided by a vote of the entire Senate.

D. The National Security Council and the Office of the President

Committee Report:

. . . The Central Intelligence Agency, in broad terms, is not "out of control." . . . (See p. 27.)

Comment:

After having heard the CIA described as a "rogue elephant run rampant", it is gratifying that the Committee now finds the CIA is not "out of control."

Committee Report:

. . . 12. By statute, the Secretary of State should be designated as the principal administration spokesman to the Congress on the policy and purpose underlying covert action projects. . . . (See p. 430.)

Comment:

Making the Secretary of State the spokesman for covert action could place him in a diplomatically untenable position. What is meant by "the Congress" in this context? This recommendation is vague and if enacted into the statutes could overburden the Secretary of State, who has more than enough work to do.

Committee Report:

. . . 13. By statute, the Director of Central Intelligence should be required to fully inform the intelligence oversight committee(s) of the Congress of each covert action prior to its initiation. No funds should be expended on any covert action unless and until the President certifies and provides to the congressional intelligence oversight committee(s) the reasons that a covert action is required by extraordinary circumstances to deal with grave threats to the national security of the United States. The congressional intelligence oversight committee(s) should be kept fully and currently informed of all covert action projects, and the DCI should submit a semi-annual report on all such projects to the committee (s). (See p. 430.)

Comment:

As mentioned in the introduction, the operation of the Hughes-Ryan Amendment requires 6 committees to be informed of any covert action. This recommendation would merely add another layer to the cake in the absence of a repeal of the Hughes-Ryan Amendment. If the Congress could agree that only a joint committee on intelligence or preferably the House and Senate Armed Services Committees were to be informed, I might be able to support the concept of prior notification. Prior notification raises an important point that should be carefully considered by the Congress: Does the Congress intend to share responsibility with the President for covert actions? In other words, will the Congress be content to accept our successes as well as our failures as secrets?

Committee Report:

. . . 14. The Committee recommends that when the Senate establishes an intelligence oversight committee with authority to authorize the national intelligence budget, the Hughes-Ryan Amendment (22 U.S.C., Section 2422) should be amended so that the foregoing notifications and Presidential certifications to the Senate are provided only to that committee. . . . (See p. 431.)

Comment:

This recommendation presupposes that the House of Representatives would be willing to accept the creation of a Senate committee as a sufficient reason to repeal the Hughes-Ryan Amendment. In the absence of an agreement with the House on repeal, this recommendation is meaningless.

F. The Central Intelligence Agency

Committee Report:

. . . The Committee also questions the recruiting, for foreign espionage purposes, of immigrants desiring American citizenship because it might be construed as coercive. . . . (See p. 439.)

Comment:

Why should any category of foreigner be excluded from recruitment by the CIA? Does the Committee have any valid reason why it "questions" that any such recruitments "might be construed as coercive?" I submit it doesn't. Finally, if the Committee believes that coercion should not be used in the handling of immigrants, then it should say so.

Committee Report:

> . . . 27. The congressional intelligence oversight committee should consider whether:
>
> —the Domestic Collection Service (overt collection operations) should be removed from the Directorate of Operations (the Clandestine Service), and returned to the Directorate of Intelligence;
>
> —The CIA regulations should require that DCD's overt contacts be informed when they are to be used for operational support of clandestine activities;
>
> —The CIA regulations should prohibit recruiting as agents immigrants who have applied for American citizenship. . . . (See p. 442.)

Comment:

Until 1973 the Domestic Contact Service was part of the Directorate of Intelligence. It was placed under the Directorate of Operations to enable the CIA to provide better support for the Foreign Resources Division. Because the Domestic Contact Service has contacts with leaders in all walks of life, it possesses a unique capability to open the door for the clandestine services. Requiring that the Domestic Contact Service inform overt contacts that they are to be used for operational support of clandestine activities violates the important rule of compartmentalization. As previously noted, there is no valid reason for excluding immigrants unless coercion is part of the process.

Committee Report:

> . . . Some covert operations have passed retrospect public judgments, such as the support given Western European democratic parties facing strong communist opposition in the late 1940s and 1950s. Others have not. In the view of the Committee, the covert harassment of the democratically elected government of Salvador Allende in Chile did not command U.S. public approval. (See page 445.)

Comment:

Here as in other parts of the report the story of what happened in Chile under Salvador Allende is distorted. While the Allende regime may have been "democratically elected", it gradually evolved into an abusive left-wing dictatorship. (See the preceding part of these individual views entitled *Covert Action in Chile 1963–1973* as well as the comments of Senator James L. Buckley in the *Congressional Record* of February 26, 1976.)

Committee Report:

. . . 36. The Committee has already recommended, following its investigation of alleged assassination attempts directed at foreign leaders, a statute to forbid such activities. The Committee reaffirms its support for such a statute and further recommends prohibition by statute of the following covert activities:

—All political assassinations.

—Efforts to subvert democratic governments.

—Support for police or other internal security forces which engage in the systematic violation of human rights. . . . (See p. 448.)

Comment:

Prohibiting "efforts to subvert democratic governments" is a vague phrase, because there is no standard set as to what constitutes "democratic" governments. It also raises the problem of what the U.S. may do when a democratic government is headed inexorably towards dictatorship of the right or the left, and that this process may lead to a government which is hostile to America. Here again, we are confronted with the problem of putting out a fire while it is small as opposed to waiting until it becomes a conflagration. In some instances it is necessary for U.S. intelligence services to cooperate with the internal security forces of nations where there is systematic violation of human rights. The purpose of such cooperation is to gain foreign intelligence on vital targets. In order to gain the cooperation of the internal security forces in these countries, support is sometimes a condition for cooperation. In a world where the number of authoritarian regimes far outnumbers the number of democratic governments, such a prohibition limits the flexibility of our intelligence services in defending America.

Committee Report:

. . . 39. By statute, any covert use by the U.S. Government of American citizens as combatants should be preceded by notification required for all covert actions. The statute should provide that within 60 days of such notification such use shall be terminated unless the Congress has specifically authorized such use. The Congress should be empowered to terminate such use at any time.... (See p. 449.)

Comment:

If such a statute is enacted, the intelligence services will have to place greater reliance on foreign mercenaries for covert action. While I have no objection to the use of foreigners for this purpose, Americans are much more likely to serve loyally and courageously.

Committee Report:

. . . 42. The Committee is concerned about the integrity of American academic institutions for clandestine purposes. Accordingly, the Committee recommends that the CIA amend its internal directives to require that—individual academies

used for operational purposes by the CIA, together with the President or equivalent official of the relevant academic institutions, be informed of the clandestine CIA relationship. (See page 456.)

Comment:

While I believe that any institution or organization has the right to take positions on domestic or foreign policy issues, I also believe each individual American has the right to cooperate with his government in its lawful pursuits. I submit this right should apply to academics, clergymen, businessmen, union members, newsmen, etc. The more groups we exclude from assisting the intelligence community, the poorer our intelligence will be. Surely, our values have been turned upside down, when cooperating with the CIA is viewed as unseemly or degrading.

Committee Report:

. . . 54. By statute, the CIA should be prohibited from causing, funding, or encouraging actions by liaison services which are forbidden to the CIA.

Furthermore, the fact that a particular project, action or activity of the CIA is carried out through or by a foreign liaison service should not relieve the Agency of its responsibilities for clearance within the Agency, within the executive branch, or with the Congress. . . . (See p. 459.)

Comment:

In order to gain foreign intelligence the CIA sometimes enters into liaison operations with foreign services who may engage in activities that would be unacceptable within the United States. Some of these services are creatures of governments whose policies both domestic and foreign are unpalatable to American public opinion. The problem with Recommendation 54 is the use of the word "funding." It may not always be possible for the CIA to fully determine how funds to foreign services have in fact been used.

Committee Report:

. . . 55. The intelligence oversight committee(s) of Congress should be kept fully informed of agreements negotiated with other governments through intelligence channels. . . . (See p. 459.)

Comment:

If this requirement comes into effect, foreign intelligence services are going to be reluctant to enter into liaison arrangements with the CIA. Public disclosure of CIA activities over the past few years has already had a chilling effect on liaison operations. Let's not compound the felony.

Committee Report:

. . . 64. By statute, the General Counsel should be nominated by the President and confirmed by the Senate. . . . (See p. 461.)

Comment:

It is contrary to precedent to have the General Counsels of agencies and bureaus nominated by the President and subject to Senate confirmation. The General Counsel of any agency should be the choice of its chief executive officer.

Committee Report:

> . . . 68. B. The Director of the CIA should be appointed by the President and subject to confirmation by the United States Senate. Either the Director or Deputy Director should be a civilian. . . . (See p. 465.)

Comment:

Why should the Director or Deputy Director of the CIA be a civilian? First, this implies a lack of integrity or ability among our uniformed services. Second, the CIA was created to provide a civilian organization that, among other things, would offset any bias in the military intelligence services.

Committee Report:

> . . . 69. By statute, a charter for the NSA should be established which, in addition to setting limitations on the operation of the Agency (see Domestic Subcommittee Recommendations), would provide that the Director of NSA would be nominated by the President and subject to confirmation by the Senate. The Director should serve at the pleasure of the President but for not more than ten years. Either the Director or Deputy Director should be a civilian. . . . (See p. 465.)

Comment:

I agree that a charter for the NSA is desirable. Because the NSA is a service organization under the Department of Defense, I fail to see why the Director should be nominated by the President and confirmed by the Senate. NSA has a large proportion of civilians, and I can see no valid reason for prohibiting one of them rising to Director or Deputy Director. Nevertheless, Recommendation 69 repeats the implied insult mentioned above in connection with the DIA.

L. The Department of State and Ambassadors

Committee Report:

> . . . 71. The National Security Council, the Department of State, and the Central Intelligence Agency should promptly issue instructions implementing Public Law 93–475 (22 U.S.C. 2680a). These instructions should make clear that Ambassadors are authorized recipients of sources and methods of information concerning all intelligence activities, including espionage and counterintelligence operations. Parallel instructions from other components of the intelligence community should be issued to their respective field organizations

and operatives. Copies of all these instructions should be made available to the intelligence oversight committee(s) of Congress. (See p. 468.)

72. In the exercise of their statutory responsibilities, Ambassadors should have the personal right, which may not be delegated, of access to the operational communications of the CIA's Clandestine Service in the country to which they are assigned. Any exceptions should have the approval of the President and be brought to the attention of the oversight committee. . . . (See p. 468.)

Comment:

As a general statement, I cannot take exception to the concept that Ambassadors should be privy to all of the activities within their missions. There may be instances where the Chief of Station believes that the identity of a particular intelligence source should not be made known to the Ambassador. Rather than giving the Ambassador the final say under these circumstances, I believe both the Ambassador and the Chief of Station should have the right to appeal to the Secretary of State and the DCI.

Recommendation 72 is closely related to Recommendation 71 in that it extends the Ambassador's authority over the CIA Chief of Station. Here again, I believe the general statement is correct but that provision should be made for exceptional cases as previously stated. I believe exceptions in some cases should be worked out between the Secretary of State and the DCI rather than having to be submitted directly to the President.

I have refused to sign the final report of the Select Committee on Intelligence Activities in the belief that it will cause severe embarrassment, if not grave harm, to the Nation's foreign policy. A lengthy report of this nature, produced under heavy deadline pressure, further increases the possibility of embarrassment and unintentional security violations. Finally, the majority report tends to blacken the reputation of agencies and persons who have served America well. Senate Resolution 21 that created the Select Committee held the promise of a calm and deliberate investigation. That promise was not fulfilled, and this is a report that probably should never have been written.

BARRY GOLDWATER.